

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

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December 10, 2007

Mr. Patrick Leonard  
Field Supervisor  
Pacific Islands Fish and Wildlife Service  
300 Ala Moana Blvd.  
Box 50088  
Honolulu, HI 96850

Re: Black-footed albatross

Mr. Leonard:

Enclosed are comments from the Alaska Department of Fish and Game (Department) regarding requests for information on the black-footed albatross as noticed in Federal Register Vol. 72, No. 194 dated October 9, 2007.

The Department does not collect information on black-footed albatross and as a result does not have new information to present concerning their current status. However, the Department has worked with the U.S. Fish and Wildlife Service (Service) to address designation of critical habitat and recovery plans for the short-tailed albatross. This species uses similar habitats as the black-footed albatross; thus, recovery efforts directed at the short-tailed albatross will likely benefit the black-footed albatross.

Numerous steps have been taken to reduce mortality of seabirds, including albatross, in recent years. The North Pacific Fishery Management Council and the Alaska Board of Fisheries have adopted a wide range of seabird avoidance measures. A listing of federal measures can be found at:


[www.fakr.noaa.gov/protectedresources/seabirds/regulations.htm](http://www.fakr.noaa.gov/protectedresources/seabirds/regulations.htm).

The State of Alaska, at 5 AAC 28.055, has adopted these measures by reference for vessels greater than 26 feet in length in State of Alaska longline fisheries.

Participation rates by longline vessels less than 26 feet in length is low and based on data from vessels with observer coverage since the promulgation of the sea-bird deterrent regulations, there is no reason to believe that seabird deterrent devices are not working effectively on vessels without observer coverage. Given this and the similarity in use of seasonal feeding habitats between the short-tailed and black-footed albatross, listing based on inadequacy of existing regulatory mechanisms in Alaska fisheries and the North Pacific portion of the Economic Exclusive Zone is unwarranted at this time.

If a decision to propose a listing is made, the Department requests the Service closely consult and coordinate with the Department in the consideration and/or designation of critical habitat and the development of recovery plans.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Vincent-Lang', with a long, sweeping horizontal line extending to the right.

Doug Vincent-Lang, ESA Coordinator  
Alaska Department of Fish and Game

cc: Mike Nizich  
Denby Lloyd  
Ken Taylor  
Steven Daugherty  
Doug Larsen  
Tina Cuning